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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,655	04/30/2001	Raul E. Ayala	GLO 2 0046-3	2722

7590 02/27/2003
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EXAMINER

GEMMELL, ELIZABETH M

ART UNIT PAPER NUMBER

2882

DATE MAILED: 02/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/753,242

Applicant(s)

VOJAK ET AL.

Examiner

Beth Gemmell

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2001 and 29 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 16 and 17 is/are rejected.
- 7) ☒ Claim(s) 7-15, 18 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

The use of the trademark Lexan (page 6, line 17) has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 16 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Vrines et al. (US Patent 5,813,753).

Re claims 1-3: Vrines et al. discloses, in figure 2 and throughout the disclosure, a light source comprising: a light emitting component comprised of a semiconductor material, wherein the component is a light emitting diode or a laser diode which emits light in at least one of the blue region and the UV region of the electromagnetic spectrum (21); at least one phosphor material (24); and at least one UV reflecting material (23).

Re claim 4: Vrines et al. discloses the phosphor excited by light emitted from the light-emitting component (column 3, lines 20+).

Re claim 5: Vrines et al. discloses the phosphor material converting UV light into visible light (column 3, lines 35+).

Re claim 6: Vrines et al. discloses the UV reflecting material reflects UV light into the phosphor material (column 3, lines 40+).

Re claim 16: Vrines et al. discloses a UV reflecting material which reflects light in the range of about 350-400nm (column 3, lines 40+). Since the UV reflecting material reflects light in the blue/UV range the respective wavelengths in that range is within the range of 350-400nm, therefore it is an inherent property of the UV reflecting material.

Re claim 17: Vrines et al. discloses a phosphor material that converts light reflected by the UV reflecting material to visible light (column 3, lines 35+).

Allowable Subject Matter

Claims ~~7~~ 11-15, 18 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The best prior art of record teaches a conventional light emitting device, however they fail to teach or fairly suggest a UV reflecting material disposed as a layer adjacent to the phosphor material.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


- US 5,008,789 discloses the use of a ultraviolet reflecting layer comprising alpha alumina however it fails to disclose the use of a light emitting component comprised of a semiconductor material.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Gemmell whose telephone number is (703) 305-1937. The examiner can normally be reached on Monday-Thursday 6:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (703) 305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

emg
February 19, 2003


ROBERT KIM
SUPERVISOR
TECHNICAL SERVICES
FEBRUARY 19, 2003